T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			09-May-08	APPL. S. N:	09660579				
To Examiner:			VU, NGOC	Art Unit	2623				
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68				
SUBJEC	CT: Decisi	on on Terminal	Disclaimer(T.D.) filed:						
form pa or have	ragraphs any ques	identified by th tions, please se	is informal memo in your nex se me or the Special Program	e results as set forth below. If you a kt Office action to notify applicant o Examiner. THIS IS AN INFORMAL OF RECORD IN THE APPLICATION (of the T.D. If you disagree				
please i	nitial, dat	e and return th	is memo to me. THANK YOU.						
V	The T.D	. is PROPER and	d has been recorded (see 14.	23).					
匚	The T.D	. is NOT PROPE	R and has not been accepted	for the reason(s) checked below (see 14.24):				
		The TD fee of use of a depo	·	itted nor is there any authorization	n in the application file for the				
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
	Г	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
	Γ	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
	Г.	The person who signed the T.D.:							
		is no	ot an attorney "of record" (se	e 14.29 and 14.29.01).	,				
		has	failed to state his/her capacit	ty to sign for the business entity (s	ee 14.28).				
		is no	ot recognized as an officer of	the assignee (see 14.29 & possible	2 14.29.02).				
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel a frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
		The T.D. is not signed (see 14.26 & 14.26.03).							
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	sclaimed is incorrect or not sp	pecified (see 14.26, 14.27.02 or 14	.26.03).				
		Other:			TA TO				
		Suggestion to and do not ch		NOTE: If already authorized, credi	t refund to deposit account				
I have a	ppropriat	ely notified app	licant(s) of the status of the	Terminal Disclaimer filed in this ca	se.				
Ex.Initia	ıls:	Date	<u> </u>		Log Date:				

Application Number	Application/Control No. 09/660,579		Applicant(s)/Patent under Reexamination WALKER ET AL					
Document Code - DISQ		Internal Dod		cument – DO NOT MAIL				
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPP	☐ DISAPPROVED				
Date Filed : April 23, 2008	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry d. Jefferson								

U.S. Patent and Trademark Office

Docket Number (Ontional)

Approved for use through 04/30/2008. OMB 0661-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TERMINAL DICCLAIMED TO ORVIATE

REJECTION OVER A "PRIOR" PATENT	96-067-C1
In re Application of: Walker et al.	
Application No.: 09/660,579	·
Filed: September 12, 2000	
For: SYSTEM AND METHOD FOR SUPPLYING SUPPLEMENTAL AUDIO INFORMATION FOR BRO.	ADCAST TELEVISION PROGRAMS
The owner*, Walker Digital LLC , of 100 percent interest in texcept as provided below, the terminal part of the statutory term of any patent granted on the instant at the expiration date of the full statutory term prior patent No. 6,209,028 as the term of said and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The ogranted on the instant application shall be enforceable only for and during such period that it and the pagreement runs with any patent granted on the instant application and is binding upon the grantee, its s	application which would extend beyond prior patent is defined in 35 U.S.C. 154 owner hereby agrees that any patent so prior patent are commonly owned. This
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by	prior patent, "as the term of sald prior
Check either box 1 or 2 below, if appropriate.	
1 For submissions on behalf of a business/organization (e.g., corporation, partnership, university, etc.), the undersigned is empowered to act on behalf of the business/organization.	, government agency,
I hereby declare that all statements made herein of my own knowledge are true and that all belief are believed to be true; and further that these statements were made with the knowledge that wande are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United Statements may jeopardize the validity of the application or any patent issued thereon.	willful false statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 33,384	
Mighan Filipik Signature	April 23, 2008 Date
Stephan J. Filipek	- 0
Typed or printed name	
	(203) 461-7252
	Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) included.	
WARNING: Information on this form may become public. Credit card informa be included on this form. Provide credit card information and authorization of	
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.